# MUSICAL.

ITALIAN OPERA IN BROOKLYN. A flying visit from Max Maretzek and his fine company, afforded the citizens of Brooklyn two nights of choice "Faust" was performed on Monday s of Brookly's society, and a large number of our New The Opera was given in excellent style, a conducted by Carl Bergmann, being .

a commented by Carl Bergmann, seans, search to the character. She rates out ideal of the character. She rates our ideal of the character. She rates manner, and her pure and beautifulied effect. Her success was very lives the roost passionate readering of the has yet been presented on our stage, the character, and sings the music with which his grand voice rankles him to ever in the tenderer portions, the clear comments Mephistopheles very successive fine and be uses it like a master of the potential part for the benefit of the operation one promisent so thorough an artist core promisent so thorough an artist hat warm e prominent, so thorough an artis

Donizetti's charming opera, "Elisir

of pure gentus.

we shall have the opera at Winter Gark and his artists will meet with a greetppr-clative as their high morit deserves. MADANE GAZZANIGA'S MATINEE.

The last ma ince of this excellent artist vesterday was regy largely attended, and the performance, sustained by herself, Miss Adelqide Phillips, Signor Anastasi, Mr. Alfred se, and Mr. Coby, gave most general satisfaction, many selections being year warmly encored.

THE BATEMAN CONCERTS.

The Bateman Concert last evening was a fine artis is by no means fully appreciated by the public. As a company we have had no such artistic combination for many years. Pa-

### ....ANNIVERSARIES.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE SECOND CONGREGATIONAL CHURCH, GREENWICH,

The Second Congregational Church of Greenwich, Conn., celebrated yesterday its One Hundred and Fiftieth An-miversary in the beautiful edifice which, situated on the highest ground between New York and Boston, forms so prominent a andmark, proclaiming at once the growth, enterprise and ex-sellen taste of the Society. The day was most propitious, and as night be anticipated on such an interesting occasion, large numbers from the adjacent townships accepted the invitation of the hospitable committee, Mr. P. Button and others, to partici-

he hospitable committee, AR. r. Burton and in the exercises.

The church was tastefully decorated with festoons and reaths of evergreens and autumn flowers by the ladies, who sided to their labor of love by providing a bountful repast in the lecture room. Above the pulpit was the logend:

"In place of the Fathers are the Children."

1716.

"Our Father's God is our God."

Our Father's God is our God."

Our Father's God is our God."

By reason of the loss of early records'during the Revolution, the exact date of organisation of the church cannot be ascer-aimed, but sufficient facts have been collected by the united efforts of the senior paster, Rev. Dr. Linsler, and Mr. W. A. Howe, to form a very interesting history. In October, 1716, the Reasonal Assembly of Connectiont grunted "liberty to the in-abitants on the west side of Miamas Brore to embody themselves inte church estate," and it is pronumed that the poople varied themselves of this soubling act to organize under their paster, Rev. Richard Sarkett, the following month. West breaswich was then called (and still retains the name of). Horea Nock, derived from a tongue of land running into the Greenwich was then called (and still retains the name of). Horsa Nock, "derived from a tongue of land running into the Souad, where the Indians drove and caught wild horses. The first edifice become toe small in 1730, and was replaced by one which stood until 1726, under the ministry of Revs. Stephen Munson, Deniel Granger, Abraham Todd (paster for more than 40 years), Jonathan Murdock and Lasac Lewis. This building becoming toe contracted, was replaced by a commedious meeting beasening toe contracted, was replaced by a commedious meeting beasening toe contracted, was replaced by a commedious meeting beasening toe contracted, was replaced by a commedious meeting beases, building about 500, which stood until 1858, when, in its turn, being found entirely inadequate for the increase dwants of the Society, it was removed, and the present stone edifico—probably ease of the finest church buildings, outside of our large cities—was erected at a cost of \$40,000 Mr. Leopold Edilits, of Now-Kork, architect. It seconomodates 900 parsons, and the spira, about \$210 feet in hight, can be seen at a great distance on the sound. Rev. Issue Lowis was succeeded by his son, Rev. J. Lowis, Jr., Rev. Joel Mann, Rev. Noah Cos, and Rov. Jr. Lowis, Jr., Rev. Jeel Mann, Rev. Noah Cos, and Rov. P. Lanier, the present senior pastor, who was retired a few years since on account of his age, the active duties of the ministry being assumed by the Rev. W. H. Murray, whose strong

lovely is Zion!" followed with a prayer by the Rev. Joel Mann, formerly a paster of the society. The Rev. J. H. Linsley, D. D., then delivered a historical discourse, replete with interest, touching early incidents of the society and township.

The recess between morning and afternoon services was very pleasantly passed in social intercourse and partaking of the excellent collation prepared by the ladies.

The afternoon exercises were opened by a welcoming address from the Rev. W. H. H. Murray, followed by a historical paper prepared by Mr. W. A Hows—a history of the "Stillson Henevolent Society" by Dr. Pinneo—and historical sketches of Sabbath Socoles, by Mr. P. Button, pleasantly varied with anthems sung by the Sabbath Sohool children.

This occasion will, doubtless, long be remembered for its combination of interesting information and social pleasure, by all the good people of Greenwich and their guests.

BUSINESS MEETING OF THE AMERICAN CHURCH MIS-

SIONARY SOCIETY-SEVENTE ANNIVERSARY. The American Church Missionary Society held its annual business meeting at the Church of the Ascension, Fifthave and Tenth-st., yesterday, 100 of the clergy being present. This Society originated in the desire of a large portion of the Evangelical clergy and laity of the Episcopal Church in this country to direct the interests of Gospel missions upon the vol-antary principle. A preliminary meeting, looking to its organmatery principle. A preliminary meeting, looking to its organisation, was held in the Church of the Ascension, in this city, on the 28th of February, 1960, and after a number of meetings and much deliberation a Constitution was adopted on the 9th of May following. But during the first year little was done except completing the organization of the Society. In the second year the receipts were \$18,900, and the expenditures \$11,900; the third year 28 active missionaries were at work under the auspices of the Society, and the fourth year 38. The fifth year the receipts had increased to \$25,565, and the sixth were over \$39,000. Of the latter sum \$19,000 was a special contribution from a member of St. Mark's Church, N. T., for the endowment of a Professorabip of Divinity is Griswold College, Iowa. The Rt. Rev. Henry W. Lee was nominated to this position, known as the "Author Professorabip," by the Executive Committee. His nomination was confirmed by the Trustees, and he new occupies the Chair.

The Executive Committee made their annual report, from which we learn that during the year just closed 38 missionaries were employed by the Society of whom 12 were were new appeal attention and 34 re-commissioned, 7 have resigned, so that the number at present is 31. The receipts were \$65,419 38, and the appenditures \$54,27 52. Estance on hare \$65,419 38, and the appenditures \$54,27 52. Estance on hare \$65,419 38, and \$2184 76. Great difficulty was experienced for want of a financial secion, was held in the Church of the Ascension, in this city,

the number at present is 3. Balance on hand October 1, 1800, the appenditures 5.4,227 62. Balance on hand October 1, 1800, \$2,184 78.

Great difficulty was experienced for want of a financial accretary and busineys agent, but the place was ably supplied by the Rov. Robert J. Farvin of Pennsylvania, who acted in that sepacity until the society could secure the services of a suitable agent. A resolution of thanks was tendered him. The position is now filled by the Rov. Franklin L. Rising, formerly of the Novacia Mission, who has entered upon his duties.

Officers for the ensuing year were nominated and elected as follows:

follows:

PRINTED REV. — Jay Cocke, erg., of Fennsylvania,
VIGE PRINTED REV. John S. Stone, D. D., of Pennsylvania; the Rev. Richard Newton, D. D., of Fennsylvania; the Rev. W. R. Richardon, D. D., of Massachapetts; D. J. Ely, seq., of Hinola; the How. Charles S. Oiden of New Jersey; the Rev. N. H. Schenck, B. D., of Maryland.
Excounted Secretary—The Rev. Richard B. Durne of Rhode Island.

RECORDING SECRETARY—The Rev. Science S. Dust of Race land.

THE STREET THE REV. S. H. TYNE, D. D.; the Rev. A. E. Yutton, D. D.; the Rev. A. E. Yutton, D. D.; the Rev. F. H. Caudeld, D. D.; the Rev. J. Howard limits; the Rev. Theorem A. Jaggary Herace Webster, Lt. D.; Frederick G. Fostor, esc.; Frederick T. Fest, esc.; Stewart Erown, esc.; Boles Humphreys, esc.

The Constitution was amended by increasing the number of slurical and lay members of the Executive Committee to teneoch, instead of five as keretofore, and providing that a misority of the committee shall reside in or near the city where it is located. The following additional members were then Bominsted and elected:

and elected:

Rev. H. Fotter, D. D.; Rev. W. Freston, D. D.; Rev. Charles B.
Chener, Rev. R. J. Favvin and Rev. Phillips Brooks; James S.
Emory, Massachusetts; F. R. Brund, Pittsburgh; J. W. Andrews,
Onley; H. O. Oakley, New Tork and A. G. Tyng, Hinele.

A resolution relating to mission prayer meetings was discussed at great length, and finally pussed in the following form:

Reselved, That in the opinion of the Society is is desirable to estabfish in our parishes a meeting for prayer specially in behalf of misstone.

these.

The Rev. W. H. Moore officed the following, which was agreed to:

Resolved, That it he reterved to the Executive Committee to consider the subject of helding questions in different parts of the country at which the objects of this Society shall be presented, and additional interest to the work excited through delegates appointed by the Executive Committee.

Executive Committee.

The following resolutions were offered by the Rev. John Cotton Smith, has have not been disposed of:

Resolved, That haldfactively, deeply consider of the imperiance of the germanties of the educational interests of the church with special references to preparation for the Hely Ministry in order to the successful propercises of its miscionary work, deeds it expedient that a Board of Education be established.

Resulted, That the Breat shall consist of — members to be cheen among the configuration of the conf

Evangesical Educational Committees with a view to the consec-of their interests.

Society adjourned until 2 o'clock this efternoon. In the gathe Austiveranty exercises were held, when addresses made by a number of distinguished circical and lay mem-tion distinguished circical and lay mem-

BOARD OF EDUCATION.

APPROPRIATIONS FOR 1867-THE SCHOOL PUND POR 1866, BTC. The Board met at 5 o'clock last evening, the President, James M. McLean, esq., in the cheir. A resolution was

the schools for the year 1857.

A resolution was adopted that the Controller place with the City Chambertain the sum of \$304.3:7-54, being the amount of the balance of the school fund for the year 1866.

By resolution the salary of the Engineer to the Board was in creased to \$3,000 per annum. After transacting some routine business, the Board adjourned for a fortnight.

THE PUBLIC HEALTH.

BOARD OF HEALTH, NOV. 6, 1866.

In the week ending Nov. 3, there were 389 deaths in the City of New-York, including 65 in the public institutions. titutions. Zymotic causes killed 110, or 28.30 per cent of all who died in New York, and 38, or 25.60 per cent of all who died in Brooklyn. No choicers and but 15 deaths from diarrheal maladies occurred in the latter city. In New York there were only 37 deaths from the diarrheal causes, and among those there

were 5 from cholers.

The first year of infancy gave 121 deaths, or 31.10 per cent of the total mortality in New-York, and 49, or 34.75 per cent in Recoling. The deaths of children under fire years of age constituted 49.87 per cent in New-York, and 56.74 per cent in Recoling.

attured 49.67 per cent in New York, and 56.74 per cent in Brooklyn.

These two cities are now suffering less mortality than usual for the season. The 20 deaths from scarlatins, the 16 from membraneous croup, the 15 from typhoid, and 7 from typhus, warn against the preventable causes of those discusses.

The mortality last week was equivalent to an annual rate of 24.7 per 1000 in the City of Brooklyn. The rate in London, the accord week week of October was 25 per 1000; in Dublin, 38; in Liverpool, 39; and in Vienna, the last week of September, the rate was as 34 per 1000, cholers having destroyed 672 Vienness that week.

tember, the rate was as 34 per 1000, cholers having destroyed on Viennese that week.

Cholers lingers very unusually in many places in Europe and the United States, this year. London, which most resombles New York, in its exposure to the localising causes of the cyldenic, reports that such causes still nurture the infection. Far again, states that "experience proves that destruction of the cholers poison is rurely effected in bad distriots unless if it carried out under the eyes of medical inspectors." And he adds: "In the same way prementory diarrhea" (believed to be infectional "is neglected, and the danger of the whole metropolis is thus indefinitely protuneted." Such testimony from such a sanitary observer confirms ancer the value of the methods pursued in the Metropolitan Sanitary District of New York.

E. Hariis.

CAUBES OF DEATH.

MIARMATIO DIRRAME.—Scarlatina, 1c. Diphthoria, 7; Croup, 11;
Vhooping Couch, 2: Typhus Fever, 6; Typhusif Fever, 12; Erysipea, 1: Poetperal Fever, 1; Dysenlery (acuta), 13; Diarrhea (acute),
5; Chalers (Asisile.) 5; Cholera Infantum, 8; Ogrefore spinal Mentotia, 1; Intermittent Fever, 2: Pysemia, 1, 1754, 99.
ENTHERIC OR INCOLUMNED DISKARUS.—Syphilia, 8; Malignant Pusle, 1: Total, 4.
District Diseases. . 1. Total 4.
TENTIO DISMANUS.—Starvation, Privation, &c., 6: Delirium Tre
tas. 1. Total 7. DISTANCE - SERVEIDE, PITTALINE, RC. 9; DESTRUM AND MORES. 1. TOTAL 7. DATE BY TOTAL 7. DATE BY TOTAL 7. TOTAL 7. DATE BY TOTAL 9. DISTANCE AND TOTAL 9. TOTAL 4. TURN RULLAR DISBARS - SCORULA. 1. Tabes Mescuterica. 23; Philicial P. Chunenali, 56; Hydrocephalus. 9. Total, 92.

DISTANCE OF THE NEWTONE SYSTEM - Meningitis. 10; Convolsious, 19; Telsnux, 2. Congestion of Brain. 3; Meyellis, 1. Total, 44.

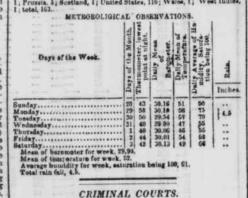
DISBARSHOW THE CHRULATONE SYSTEM - Pericarditis, 2; Hypertrophy of Heart. 1; Anortism of the Linguist. 2; Hypertrophy of Heart. 1; Anortism of the Linguist. 1. Total, 16, DISBARSHOW THE SHEPHAROTHE SYSTEM - Legyoguits. 1; Congestion of the Lungs, 4; Brouchtis, 15; Hemorrhage, 1; Pacumonia, 24, Total, 32. Total, 33.

Danatus of The Digestive System.—Gastritis, 1; Intersesception, 1; Europeits, 5; Uker of the Stomach, 1; Febilouitis, 3; Hopartis, 2; Totalidis.

Dismans. of The Unimary System.—Nophris. (Bright's Dis.) 10, yeitits, 1; Total, 11.

SUIGIDE -Suicide by Charconl, I. Total, 230. EECAPITULATION.

of persons that died in New York and Brooklyn for the week ending Nov. 3, 1860; New York—Men. 85; women. 78; boys. 117; girls. 103; rotal. 383. Naivities—Austria, 1; firitish America, 1; Doumark, 2; England. 6; Prance, 2; Gormany, 3; ireland. 75; Sectiand. 2; United States. 363; total. 383. BROOKLYN—Men. 37; women, 35; boys. 40; girls. 53; total. 163. Net tivities—Demark. 2; England. 3; Gormany. 6; Irvisind. 31; Norwey, 1; Pransia. 4; Scotland. 1; United States, 116; Walos. 1; West Indies, 1; total. 162. METROPOLIGICAL CONSERVATIONS.



THE TOMBS POLICE COURT.

(Before Justice Dowling.) THE DAY APTER ELECTION .- As might be expeated, resterday morning a metley crowd of prisoners were arraigned before Justice Dowling at the Tombs. Many of these, hewever, were arrested on the charge of having been drunk and disorderly, but as certain latitude is always allowed for the excitement attendant on an election, the magnitude was disposed to be lenient, and the majority were let off with a reprintant.

ILLEGAL VOTING .- A considerable proportion of the prisoners. however, were arraigned on the charge of having attempted to

however, were arraigned on the charge of having attempted to vote illagally, and their cases elicited more serious attention. Detective Doyle of the First Precinct testified that he arreated John Elders while attempting to vote illagally at the Fifth Election District of the First Ward. At that time the prisoner informed the Inspectors of Election that his name was Martin Phillips, residing at Counties Slip, and that he was registered in that district. He is not the person bearing that name, and had admitted after arreat that he heat previously voted at the Second Election District of the First Ward, where he resides.

Morris Wheeler was arrested by Detective Doyle, also on a charge of attempting to deposit an illegal vote at the Fifth Election District of the First Ward. The accused was registered as living at No. 24 Moore-st, but the officer ascertained that the registry was false, and Wheeler admitted since arrest that he lived in Waite-st.

Benjamia H. Colin was arrested by officer Guerrin, of the Fourteenth Precinct, on a charge of having voted illegally at the Xth District of the Fourteenth Ward. The prisoner had been registered as living at No. 1 Crosby-st, but the fact of his non-residence at that number was ascertained by the Police before election day. When Colin appeared at the polls he was challenged, when he swore his vote in and was arrested.

Officer Doran, of the Fourteenth Precinct, arrested John H. Short, who he accused of having voted illegally at the VIIth District of the Fourteenth Ward. The accused gave his residence at No. 135 Elizabethest, when he was challenged and compelled to awaar his vote in. As it had been ascertained that Short did not reside at No. 135 he was arrested in consequence. Col. George F. Hopper of No. 130 Frince-st, one of the Inspectors of the IVth Election District of the Fourteenth Ward, caused the arrest of Patrick Riley for an attempt to vote illegally at the polls of said District. Riley was not content with voting once, so he reappeared a second time with fresh

action.

Thomas Carpenter, arrested by Officer Kelly of the Fourteenth Precinct, but he failed to support the charge with proper Precince, but he failed to support the charge with proper evidence.

Virgil Vandevoort, arrested by Officer Kelly, who was equally unable to farnish sufficient evidence.

Michael Gillen, who was arrested by Officer Barber of the Fourteenth Precinct. Geo. W. Hill, arrested in the Fourteenth and by Officer Memiller, Francis Mott, John J. Hackett and Thomas McGinnis were also discharged on the same grounds.

ATTEMPTED BURGLANT.—Early yesterday morning, James Brennan and Michael Agnew, both young men, were found by Roundaman McDonnell of the Sixth Precinct in the rear of the locklings store of Ignal Lowenthal. No. 136 Chatham. st. Ag-

clothing store of Israel Lowenthal, No. 136 Chatham-st. Ag-new resisted, and was knocked down twice by the roundsman before he would submit. The prisoners had attempted to force in the rear window of the store, doubtless with the intention of robbing it. Yesterday they were committed for trial by Justice Dowling in default of \$1,000 bail.

JEFFERSON MARKET POLICE COURT.
THEFF FROM A CATROLIC PASTOR.—The Rev.

Francis Gousse, a priest attached to the French Catholie Church on Twenty-third-st., appeared before this court yester-Church on Twenty-third-st, appeared before this court yesterday to sustain a charge preferred against a young man named
William Donglas, of having stolen, on the 31st old, the sum of
\$331, the property of the Rev. A. Fourment, the pastor. The
money was in the Rev. Mr. Gousse's trunk, and consisted of
\$435 in United States Treasury and National Bank notes, and a
quantity of gold and silver coin of the vaine of \$481. Some
days after the money was missed Donglas purchased a suit of
elothes which cost \$100, and as he was merely a clerk with a
small salary this circumstance attracted against attention. A
Police Captain was called in to aid in removing the doubts now
harbored against him or in reducing them to a certainty of his
guilt, and upon seerching among Donglas's clothing he found
wrapped up in a pair of drawers the sum of \$300. The prisoner
is an Englishman, and was born in London, is 15 years of age,
and has realided at No. 50 West Twenty-fourth-st. He pleads
guilty of having stolen the money, and is committed to answer
at the General Sessions in default of \$1,500 buil.

Allgord Tenter.—Martha fand Catherine McCarron were

guilty of having stolen the money, and is committed to answer at the General Sessions in default of \$1,500 ball.

ALROND TREET.—Martha Sand Catherine McCarron were yesterday charged by Mra Caroline A. Stimpson of No. 23 Ninth-st., near Sixth-ave., with having stolen from her on the lat of May, and on other occasions, a quantity of Brussell carpets valued at \$15, three pictures of the value of \$40, ten cotton the standard of the charge, her sinter, who will also so time a strengt in Mrs. Stimpson and the standard of the charge, her sinter, who will also so time a strengt in Mrs. Stimpson's house, and the standard of the charge, her sinter, who will also so time a strengt in Mrs. Stimpson's house, and the standard of the charge, her sinter, who will also so time a strengt in Mrs. Stimpson's house. They

alona.

John Heardon, for voting in the XVth Election District of the Eighteenth Ward, not being a resident of the District, held in \$100 bail to answer at the Special Sessions.

Louis Smith, for voting in the VIthe Election District of the Sixteenth Ward, not being a resident of the District; held in \$100 bail to answer at the Special Sessions.

Could be EEL HIS VOTE.—A voter named James May, reiding at No. 353 West Twenty-sixth st., tried hard to persuade Justice Dodge, yesterday, that his naturalization papers and

Justice Dodge, restordsy, that his naturalization papers and a quantity of U. S. Treasury Notes, encounting in value to the sum of \$10, were stolen from him by Barnard Coyle. His story is that as unknown man matched the papers and the mosey from him and handed them to Coyle, who ran off with them and sought protection in O'Toole's store. No. 26 Ninth-ave, an entrance to which he was not permitted, the door having been locked eigeinst him.

The defense gave the information that May had been with amore than boisterous seal endeavoring to sell his vote for so long a time that some one got disgusted with the attempted traffic, and took the papers from him, to put an end to a scene which belonged to a played-out farce. Two respectable witnesses testified that they had seen the naturalization papers when being thrown about from one person to another, and that there was no money folded between them, or visible at any time while being exhibited by the owner. But May, te the last moment, protested that "they need n't have treated a poor, decent man in that way, when he worked hard with the sweat of his brow for the earnings they had taken from him." There will be a further examination of the case.

#### ESSEX MARKET POLICE COURT.

[Before Justice Mansfield.] GRAND LAROENY .- On Tuesday evening last, two en named Herma Herschfelar and Jacob Meyer went into the

### CIVIL COURTS.

COURT OF APPEALS. IMPORTANT DECISION TO PROSECUTING OFFICERS—THE GENERAL TERM OF THE SUPERME COURT HAVE THE POWER TO PEX A DAY FOR THE EXECUTION OF A

PRISONER WHERE THE RECORD IS REMITTED TO IT BY THE COURT OF APPEALS.

The following is the opinion of the Court of Appeals in the case of Frank Ferris.

In re the application of Frank Ferris for a writ to error to the Court of Appeals.

Davies, Ch. J.—The facts appearing upon this application are as follows: The prisoner was indicted, tried and convicted in the Court of General, Sessions of the Peace, in and for the City and County of New-York, on the Eath day of February, 1865, of the crime of murder in the first degree, and sentenced to be executed on the 14th day of April following. On the day of his conviction and sentence, the case was removed by a writ

following: On that day the prisoner was brought tate said Court before the General Term thereof, by ritue of a writ of habeas corpus, issued therefrom, and the said Court did thereupon "consider, order and adjudge that the prisoner, for the murder in the first degree and felony aforesaid, whereof he stands convicted, be taken to the City Prison of the City of New-York, from whence he came, and on Friday, the 17th of August next, be hanged by the neck until he is dead."

This scattene is identical with, and but a repetition of, that pronounced by the Court of General Sessions, except in the day fixed for its execution; and the said Court did thereupon issue its warrant to the Sheriff of the City and County of New-York to cause execution to be done upon the said Frank Ferris according to law, And the said Court did therefrom point the 17th day of August then next as the day upon which the said sentence should be executed.

The Governor, on the application of the prisoner, respited the execution of the sentonce until the 19th of October, 1898. It is now urged, on behalf of the prisoner,

1. That the Supreme Court had no authority to pronounce judgment of death upon this prisoner, the jodgment of the Court of General Sessions being still valid, operative, and now affirmed, and the only one upon which the prisoner can be hanged.

2. That the Suprema Court had no authority to fix a day for

hanged.

2. That the Supreme Court had no authority to fix a day for the execution of the prisoner, the sole power to do that being in the Court in which he was tried, convicted and originally sen-

the Coart in which he was tried, convicted and originally souteneed.

We think it may be conceded that as to the first branch of the first position of the prisoner's counsel, namely, that the Supreme Court had no authority to pronome judgment of death upon the prisoner, it is sound. A judgment of death had been pronounced by a competent Court and remained in full force, and we entirely concur with prisoner's counsel in the second branch of his first proposition, to wit: that the judgment of the Court of General Sessions being still a valid operative and affirmed judgment, was the only one upon which the prisoner could be arceuted. It was therefore a work of supercregation in the Supreme Court to pass sentence again upon the prisoner. The seatence already passed was in accordance with the law, was ralid, operative and unreversed, and had been affirmed by the Court of last resort. There was no occasion therefore for another sentence, and this act of the Supreme Court, atthough incalled for, worked so detrimently highly to the prisoner, and is no ground for a reversal of the original judgment or sentence. That remains is full force, valid and operative. What then remained for the Supreme Court to that, that day is chearly pointed out in the statutes of this State (3. Rev. Stat., Sec. 23, 24, p. 937.)

Section 23 enacts, that "whenever for any reason any con-

Section 23 enacts, that "whenever for any reason any con-vict sentenced to the punishment of death shall not have bord executed pursuant to such sentence and the same shall stand in full force, the Supreme Court, on the application of the Attorney-General, or of the District Attorney of the County where the conviction was had, shall issue a writ of \*Anbeat corpus to bring such convict before such Court, or if he be at large a warrant for his apprehension may be issued by the same Court or any jus-tice thereof."

Section 24 enacts, that "epon such convict being brought before the Gourt, they shall proceed to inquire into the facts and circumstances and in fo logal reason exist against the execution of such sentence, they shall sign a warrant to the sheriff of the proper County, commanding him to do execution of such sentence, at such time as shall be appointed therein, which shall be obeyed by such sheriff accordingly."

All these provisions have been literary compiled with in the ground of substances that is, the repronouncing by the Supreme Court of General Scassivis, and which had been affirmed by the Court of General Scassivis, and which had been affirmed by the Supreme Court and by this Court. The carry of the Supreme Court and by this Court. The carry of the Supreme Court and by this Court. The carry of the Supreme Court and by this Court. The carry of the Supreme Court and by this Court. The carry of the Supreme Court and by this Court. The carry of the Court is sent a warrant to the Supreme Court and by this countries to the country in which the conviction was had, commanding him to do execution of such sentence at such time as the Court should appoint. All this had been done in strict fulfillment of these directions, and we do not see any reason for doubting their regularity. The circumstance that the Supreme Court had no authority to fix a day for the execution of any judgment against the prisoner, who have considerational dispose of the second position taken by the prisoner's counsel, namely, that the Supreme Court had no authority to fix a day for the execution of any judgment against the prisoner. We have seen that the language of the Revised Statutes have provided for the authority to fix a day for the execution of any judgment against the prisoner. We have seen that the language of the Revised Statutes have provided for the authority to fix a day for the execution of any judgment against the prisoner. We have seen that the language of the Revised Statutes have provided for the surpress of the court shall

both gave bail to appear at the Special Sessions in the sum of 500 each.

Ist. Eact Votuso.—Joseph Kemp, for voting in the XIIIth Election District of the Twentieth Ward, not being a resident of the District, gave bail in \$100 to answer at the Special Sessions.

John Reardon, for voting in the XYth Election District of the Sighteenth Ward, not being a resident of the Eighteenth Ward, not being a resident of the Eighteenth Ward, not being a resident of the District, held in \$400 bail to answer at the Special Sessions.

Louis Smith, for voting in the VIth-Election District of the Sixteenth Ward, not being a resident of the District, held in \$400 bail to answer at the Special Sessions.

Louis Smith, for voting in the VIth-Election District of the Sixteenth Ward, not being a resident of the District, held in \$400 bail to answer at the Special Sessions. properly be invoked which are made applicable to every case of a convict sentenced to the punishment of death, whenever for any reason such sentence shall not have been executed, and the same shall stand in full force. The affirmance of the judgment and sentence pronounced in this case by this Court was final, and therefore it stood in full force, but the day fixed for the execution having passed, further action became necessary, and that was taken in this case in strict conformity with the letter of the statute. The action of the Supremo Court, was therefore in accordance with the directions of the statute, except in the unimportant particular sireody adverted to, and the motion for a writ of error is denied. All concur.

William F. Kintzing for the motion, and Gunning S. Bedford, jr., District Attorney, in opposition.

UNITED STATES DISTRICT COURT—Now. 7—Before Judge Shifman.

HOW THE VALUE OF A LOST CARGO SHOULD BE ASSESSED-OPINION OF JUDGE SHIPMAN IN A COL-

HOW THE VALUE OF A LOST CARGO SHOULD BE ASSESSED—OPINION OF JUDGE SHIPMAN IN A COLLISION CASE.

Seth Adams agt the steamship Ocean Queen.

This is a suit for cellision. Upon full hearing a decree was entered for the libelants, with an order of reference to compute the damages. The Commissioner has made his report to this Court, to which the claimand excepts, principally on the ground that the Commissioners in assessing the damages to the cargo took the price for would have brought at the port of destination, instead of the price paid at the port of shipment, I think the exception to this point is well taken. It is open to the objection taken by Mr. Justice Storey in the case of the schooner Finch (F.gd. 314). Though that was not a case of damage by collision, it was a case of damage by another kind of tort. His remarks are, therefore, apt and to the point. To estimate the damages by what the cargo would have sold for if it had reached the port of destination, partakes in some measure of conjecture, and assumes that for certain, which is after all contingent. The schooner in this case might never have reached the port of destination, even if she had not collided with the Ocean Queen. She was exposed to all the ordinary perils of navigation, collision, fire, and nameless dangers which attend vessels in the sea. I understand the correct rule to be that laid down by the Supreme Court of the United States in Smith et al. agt. Condre G. How, 35), which is the value of the goods at the port of shipment. To this should be added the exponse of navigating the vessel to the place where the collision occurred, netwing also the le ding of the cargo on board. On this amount the libellant is entitled to interest at 6 per cent, from the time of collision.

Let the report be referred back to the Commissioner to be

SUPREME COURT-CIRCUIT-Nov. 7.-Before Mr. Justice

SUPREME COURT—CRECUT—Nov. 7.—Before Mr. Justice MULLEN.

A QUESTION ABOUT WARRANTY.
Chas W. Spaulding agt. Chas. P. Bronson.
Primitiff alleges that at defendant's request he furnished him with an "Etna Hester" and other heating and cooking apparatus, at an expense of \$130 in cash, and that it was subsequently agreed that these things should be exchanged for other heating and cooking apparatus, by which defendant became indebted to plaintiff in the amount of \$135 25, for which suit is brought.
The answer is that this heating and cooking apparatus was warranted by plaintiff to give satisfaction, and that it did not do so, being a failure and putting defendant to great trouble and expense, and defendant therefore brings a counter claim of \$145.
The plaintiff and defendant both testified, and their testimony was very conflicting—plaintiff testifying that he did not warrant the apparatus, but referred defendant to pareits who had used it. Defendant testified that the father of plaintiff, who was plaintiff's agent, did warrant it.

After the jury had retired and been out a short time, they came late court, and upon being asked whether they had agreed, the Foreman informed the Court that one of their number (a Gernam) refused to vote, assigning as a reason his ignorance of the English language. By agreement of counsel he ages dispussed, and the remaining eleven jurors retired, and soon after brought in a versite for plaintiff for the full amount claimed.

J. H. H. Pinckney for plaintiff, Benj, Butler for defendant.

Before Mr. Justice J. F. Barkane.

This case was pestponed until to morrow at 10 o'clock, the day being occupied in swearing in a large pannel of jurors.

A SUIT FOR THE KILLING OF A CHILD—THE LAW OF NEGLIGENCE.

William Beck, administrator, &c. agt. The East Rivery Ferry Company.

The plaintiff's son was run over while in a boat on the 2sth of May, 1865, by the ferry boat Suffelk County, and drowned. The boy was about 15 years old when drowned. It appeared from the evidence that the boy, with two companions, was coming across from Brosklyn, and had almost reached the New-York shore, between Fifteenth and Sixteenth sts., and had turned up against a string tide, Beck sitting in the bow and Mo-Lane at the oars, and a third one steering, when Beck aw the steamboat close upon them, and leased into the water. The boy who was ateering let go the rudder, and the boat was swing around by the tide, the bow of the boat came in collision with the bow of the ferry-boat, and when they reached the wheel it struck the boat amid-ships, upsetting the boat. The other two boys were saved, but Beck was drowned. There were some discrepancies in the testimeny as to minor points. The boys claim that they did not see the tot coming till she was within a few feet of them, and could not see her at any great distance, owing to the vessels lying at the wharf at Tweifth at, they being close into the shore. Two of the plaintiff a witnesses testified that some one on board the vessel shouted to the hoys to jump out, and that Beck swam behind McLane mearly to where McLane grasped a plank thrown to him, be force he sank.

The boy's father testified that the boy was going to the Free Academy, and when not there assisted him at his factory.

Defendant asked for a disminsulation of the Complaint on the

PART II.—Before Justice JONES.

The LAWS OF SALES BY SAMPLE.

John H. Williams et al. agt. Joremiah Delaney.

The plaintiff in this case slegges that he purchased 10 bales of cotton from the defendant, from a sample shown to him. On the receipt of the cotton it was found to be in a damaged condition, called, in a technical phrase used by cotton-dealers, "wet and dried," which reduced its market value to such an extent that he lost \$750 on the transaction, for which sum he now brings suit.

extent that he lost \$750 on the transaction, for which sum he now brings suit.

The defendant alleges that the sample shown to the plaintiff was taken from the bale, and that when the plaintiff asked him if the cotton was in good condition he replied that he would not answer for it; that there was a sample, he could judge for himself. The plaintiff claims that the sample shown him was different cotton from that delivered; that the samples shown him were "rebaled" cotton, which should be sound cotton, though it might be of different kinds. The case turned, in great measure, on the meaning of "rebaled" cotton, the defendant claiming that it included "wet and dried" cotton, the defendant as to whether the cotton was up to sample.

The jury found on both points for the plaintiff, and gave him a verdict for \$450.47.

C. Bainbridge Smith for plaintiff; S. W. Parsons for defendant.

Henry Berton agt Peter Lang; Joseph Luicke agt. The Campagnie Translantique; Jas. Moran agt Jacob Carpeater; Henry D. Brookham agt Bent F. Motealf; motions granted. Addison C. Fletcher agt. Luther C. Tibletts; motion denied with \$10 costs. Moses Strasburger agt. The West. Union Tel. Co., interrogatories settled. August Schlecht agt. François Barker; motion granted. Special Term.—Before Justice Monett.

COURT OF COMMON PLEAS-CHAMBERS-Nov. 7 .- Before Judge Daly: THE CLARKE-BROOKS CASE.

THE CLARKE-BROOKS CASE.

The case of Clarke agt. Brooks came up yesterday morning in the Court of Common Pleas. The defendants asked for a stay of proceedings before Mr. Nichol, the referre in the case, and of the sale directed by Judge Daly of the assets of The Express, with a view to settling the partnership.

The defendants asked to be allowed to take the case to the Court of Appeals by filing a bond for \$500. To this the plaintiff demurred, on the ground that it was not an appealable case and could not go to the Court of Appeals until the property was sold; beyond that it was not a case at common law but a case in squity.

sold; beyond that it was not a case at common law but a case in squity.

Mr. Cram, in his argument, took the ground that the Court had no right to continue the publication of a political paper any longer, and they certainly had no right to allow an appeal to the Court of Appeals, by which in all probability "I would be obliged to continue the paper for five years more;" that the attempt to go to the Court of Appeals was simply another attempt to gain time; that by repeated delays in the courts the defendants had already gained nearly four years, and would by this appeal certainly gain five years additional; that the paper was worth more money now than at any future time, and that it was perishable property, and according to all precedents should be sold without delay.

The Court took the papers and reserved its decision.

Cram & Robinson for plaintiffs; Mr. Smith for defendants.

MARINE COURT—PART L—Before Judge Alker.

A SUIT AGAINST TWO RAILBOAD COMPANIES.

MARINE COURT.—Part L—Before Judge Alker.
A SUIT AGAINST TWO RAILEDAD COMPANIES.
Andrew B. Mooney agt. The Central Park and North and East
River Railroad Company and the Hudson River Railroad
Company.

From the evidence in this case it appears that the
plaintiff a daughter, a child of about 12 years of age, entered
the ear of the O. P. and N. and E. R. R. Company for the purpose of proceeding up town. As the ear neared Thrittefarts
and Tenth-ave., a locomotive belonging to the Hudson River
Railroad Company, which was leaving their depot, came into
collision with it, knocking both car and passengers into pl.

The child of the plaintiff was thrown from the ear and received severe injuries, beaide a nerrous shook, from which it is
alleged she will not recover for a long time. The plaintiff
brings suit to recover damages to the amount of \$500, for the
loss of services of his child, she not having been able to perform
her usual duties about the house since the accident. He alleges that there was gross carelessness on the part of the employée of both Companies, and therefore brings suit against
them both.

The hour being late, the Court left it to the jury to say
whether they would receive their charge then or wait until this
morning. The jury not relishing the prospect of losing their
dinners, decided to adjourn until this morning.

Hugh Reavy for plaintiff; A. Schell for defondant.

BUSINESS IN THE COURTS.

U. S. DISTRICT COURT—Before Judge SHIPMAN.—Returns of process were made in the following cases: U. S. art. Two cases of ribbons marked. "A" in a triangle, Same spi. Twenty-five bile, which found it. No. S. New-it. No claimints appearing on motion of Assistantial Specials, of motion of Assistantial Specials. The Court bire allost the Calcoder of the Term and as down the arctice action to the Calcoder for the Term and as down the arctice action causes. SUPERME COURT—SPECIAL TERM—Before Mr. Justice Portram.—John Williamson sgi. James Wadawork.—Demurret—Arg. Burnet by counsed Decision reserved. Annie T. Butler.—Lag. Burnet Decision for the Calcoder of the C

The G. H. Co agt. The Grocer's Fire Insurance Co.; A. No. Briton Routh.

COURT OF COMMON PLEAS—Part I.—Held by Judge Carpost—Adjourned to Monday next. Part II.—Held by Judge Carpost—Gourt opens at 11 a. m. Nos. 1670, Murphy agt. Bird; 1668,
Nelson agt. McGee, 1621, Schmidt agt. Herforth: 1625, Nassar agt.
Corvin Ac.; 1627, Fowler agt. Editiogs, ar; 1629, Costille agt. Terrell; 1634, Burress agt. the Benk of North America; 1826, Freening, 1826, Nassar agt.
Set. Street, 1529, Shermon agt. the Continental Bank Note Company,
671, Willet agt. Noir; 1715, Walsh agt. Kelly. Sheriff, 1722, Meeks,
agt. Voorbies; 1336, Rutuman agt. Rovi, 1700, O'Man agt. Overbeck,
1715, Wolff agt. Herz.

Manual Courter—Terat. Term—Held by Justice Alers.

#### " LIBERTY AND LAGER."

THE GERMAN CENTEAL FENTON AND WOODPORD CAM-PAIGN CLUB OF THE CITY AND COUNTY OF NEW-YORK.

Sin: In the name of the German Radical Republians we beg leave to enter a most emphatic protest against the

following statement in your paper of yesterday.

"A good many of our German-born citizens, who cherish an abstract and sentimental devotion to the Freedom of Man, are yet more deruted to the Freedom of Lager. They would like to impel the ear of Human Progress, but they must have their favorite tipple and social jolitication on Sunday. There is a collision between their habits and the fundamental laws of our State. This collision has taken about 5,000 votes from Gov. Fenton and his friends and given them to our adversaries, making a difference of about 10 000. To this, we probably owe the defeat of three if not four Republican candidates for Congress, with other local disasters."

The systematical labors of this Central Campaign Club, and the most scrupulous in restigation into the state of the German.

the most acrupulous investigation into the state of the German Republican party of this city, has given us the proofs that but a very small percentage of it deserves the stigms of having abandoned the cause of "Freedom of Lager."

The noise made by the interested leaders of the "lager beer party" had no doubt deceived you and many of our fellow-citizens about their number. Had you seen, as we have the bundreds of faithful German Republicans who, without going to meetings throughout the city during the campaign; did you know, as we do, the still greater number of these citizens who, without going to meetings, are devoted to the cause of liberty, and who voted for it yesterday, you would not have spoken of 5,000 Germans of the city deserting the Republicans hanner. We are justified in saying that not one-fourth of this number has betrayed the party. You put the 5,000 deserters exclusively upon the side of the German Republicans. Is it just—is it in accordance with the facts to do so? You know that not alone the Excise law has caused the dissatisfaction takes hold of he has been enceted over again of another testile and protective. Here the same piece has been enceted over again of a meth larger scale an entire territory, instead of an insignificant country, being the field for control of which they contend. Here the same piece has been enceted over again of a much larger scale, an entire territory, instead of an insignificant country, being the field for control of which they contend. Here the same piece has been enceted over again of a much larger scale, an entire territory, instead of an insignificant country, being the field for control of which they contend. Here the same piece has been enceted over again of a much larger scale, an entire territory instead of an insignificant country, being the field for control of which they contend. Here the same piece has been enceted over again of a much larger scale, an entire territory instead of an insignificant country, being the field for control of which they conten that not alone the Excise law has caused the dissatisfaction

and progress in our adopted country, and will continue to do
so, have a right to ask of our American fellow-citizens a just
appreciation of the sentiments and the actions of the great majority of the German Republicans in this city.
Relying upon your yeel-known sense of justice, we respectfully request the publication of this statement in your tomorrow's issue. Very respectfully, FRENERICK SCHUT,
Chairman of the Central Featon and Woodford Campaign Club.
ARNOUT TANKER, Corresponding Secretary.

New-York Nov. 7, 1866.

## THE TURF.

THE RACES AT JEROME PARK TO-DAY. The Jerome Park "Extra Fall Races" will take place to-day. There will be three, and perhaps four races, one place to day. There will be three, and perhaps four races, one of which will be a Hurdle. In some of the races gentlemen will ride their own horses. We have already published a list of the entries. It will be remembered that the proceeds are to be given to the poor of Westchester County.

There will be a sale of some fine thoroughbred stock on the grounds at 11 o'clock a. m. The racing will begin at 1 o'clock a.

## BROOKLYN NEWS.

PHILHARMONIC REHEARSAL.-The rehearsal for the grand concert of the Brooklyn Philharmonic Society took the grand concert of the Brossiya rannarmonic Society tools place yesterday afternoon, at 3 o'clock, at the Academy of Music. The affair passed off in a manner most creditable to all concerned, and gave promise of a successful result. Several distinguished switers—keilogg, Bellini, Hoffman and others—will assist in the grand concert.

A CHORAL UNION .- The question of uniting the nusical societies of Brooklyn in one grand "Choral Union" has been for a long time under discussion. At a meeting held at been for a long time under discussion. At a meeting sent at the Academy of Music some days since, a committee was appointed to "devise some plan and report." The Committee assembled last evening at the Marshal's rooms in Montague-st., Mr. E. B. Moors in the chair, and agreed upon a plan which they will report at a public meeting this evening.

VIOLATIONS OF EXCISE LAW.—The liquor-dealers of Brooklyn who kept open on election day, and had the mis-fortung to be arrested, were yesterday brought up before the proper tribunals and fined \$30 each. Quite a deduction from the profits of the day's business.

FELONIOUS ASSAULT .- Edward Belcher, a boy of 13 years, was arrested on the afternoon of election day, for shooting with a rife another boy named W. Marlow, who with some others was annoying him. He was held for examination.

FELONIOUS ASSAULT.-Patrick Shane, residence cuknown, was yesterday arrested by the Forty-first Precint Police for attacking, with an ax, one Bridget Cowley of No. 239 Hudson-ave, Brooklyn. Bridget's head was badly out but gibe will probably survive. Partick still has the pleasure of surveying the beauties of nature through the "bars."

THE RECENT EXPLOSION IN THE TWENTY-FIRST WAND.—An inquest was yesterday held by Coroner Naumann at the Twenty-first Precinct Station-House on the body of Otto at the Twenty-first Precinct Station-House on the body of Otto Forth, aged 5 years, who, with a number of other boys, was seriously injured by the explosion of some damaged blasting powder which they had found in the street, and, supposing it to be charcoal, placed it upon a boufirs, the particulars of which have been published in This Tribura. Thomas Foster, owner of a coal yard at the corner of Second-ave, and Twenty-eighthet, toutified that he had given to Matthew Monahan, driver of a coal eart, a large tin can containing a quantity of damaged blasting or cannon powder, directing him to throw it into the river, at the same time telling him that it was worthless. Monahan testified that while on his way through Thirty-seventhest with the can in his eart, one Wm. Gordon get hare the contents were harmless, the men threw it into the street, where it was described by John Levins. It has already been published in full. A verdict in accordance with the facts was rendered by the jury, who also consured Matthew Monahan, Wm. Gordon and Thomas Foster for oulpable negligence. They were held to ball in the sum of 4500 each by the Coroner to awa't the action of the Grand Jury. Grand Jury.

RECEIPTS OF PRODUCE.

Nov. 7.—Flour, 10,757bbis.; Whisky, 885 bbis.; Whuat, 21,178 bush.; Cora, 15,621 bush.; Oata, 28,463 bush.; Ryo, 7,974 bush.; Barley, 82,271 bush.; Ashos, 19 pkgs.; Boof, 70 pkgs.; Pork; 476 bbis.; Cut Moats, 144 pkgs.; Lard, 99 pkgs.; Lard, 842 ksgs. Petrolaum, 1882 bbis.

From Our Special Correspondent.
SALT LAKS Criv. U. T., Oct. 10, 1866. The Mormon Church, in its system of organization, its well organized plans of proschytians and self-propagation and in its ultimate purposes, its an anomaly, which its present status and future prospects admonish as should be clearly understood by the people and Government of the United States. In the first two characteristics above named, as well as the machinery for its government, it is the perfection of human ingenuity, applied to political, moral and religious elements in social organization. particulars, there exists the greater necessity that its actual powers should be duly appreciated and its objects force canned, in order that, by timely pruning of victors causes, their

MORMONS AND MORMONISM IN UTAH.

that should last till the resurrection." When it is remembere that his "claims" cover thomsonds of undefined acres of uning proved public land in this territory, it becomes a question some importance to persons desiring homesteads here, whether Government will afford them adequate protection in that rights, as against Brigham I. Sultan of Deserct, who claims at the country, and threatens them with vengeance dire if the attempt to settle in his vicinity, and be sure he will execute his threats just so far as he dares.

OIDS AND ENDS.

the country, and threatons them with vengeance dire if they attempt to settle in his vicinity, and be sure he will execute his threats just so far as he dores.

Mr. Weston, editor of The Vedette, and the foreman of the office were set upon late the other night on their way home by a gang of ruffians, disguised and armed, who presented sundry pistols at their heads, and, at the same time, an invitation to accompany them quictly, the only alternative being that usually allowed on such pleasant occasions, to wit: having their brains blown effectually out in case of refusal. Brains being considered as I have heard, somewhat essential to the success in mean of their profession, these gentlemen promptly complied—not very cheerfully, and with many misgivings it may be presumed. The foreman was kept behind on this occasion and escaped scot free, except some uncomfortable punches he got in the ribe and general rough handling, but the other did not come off so casily, though rumor says his coat did, and, however, as the individual most interested preserves a strict silence as to the nature of his outrages, your correspondent must needs do like-wise. This and other matters of a similar character recently enacted have been lad before the commanding officer at Camp Douglass, he having called for the same to enable him to report the facts at department beadquartars for information and action of the General commanding. Father Kelly, a Catholic priest, who, after much difficulty by indirect means, has succeeded in purchasing a site whereon haproposes to erect a church edifice, was warned by an anonymous letter, when his purpose became known, to desist therefrom, as the building would not be suffered to stand. He at once called upon Brigham to learn if the unknown writer spoke by authority, which was denied of course. On the following day the semi-official church organ broadly insinuated that all the outrages perceitated here of late have been gotien up by the "Regenerators," to prejudice public opinion against the Saluts—a pie

LAUNCH .- This morning, at half-past 9 o'clock, there will be launched from the shippard of Henry Steers, at Greenpoint, the pioneer ship of the Pacific Mail Company's new Greenpoint, the pioneer ship of the Pacific Mail Company's new line of steamers, to run between San Francisco and China-She is to be named the Great Republic, and when completed will be the largest wooden steamenly affort. The keel of the vessel was laid last December. The extreme length is 380 feet for breadth of beam, 30 feet; depth of hold, 31 feet 6 inches. Hea Custom-house measurement is 5,000 tons. She is the strongest and most substantial vessel ever yet constructed, being diagonally strapped on the inside of the hull with iron bands five inches wide. She is also planked over her timbers and diagonally strapped with iron bands on the outside, in addition to which she is doubly planked over the outside strapping, thereby making the vessel as heavy again as an ordinary one of the same dimensions. Her engine is being constructed at the Novslety Works. It is an upright beam, with a eviluate 105 inches in diameter, and 12 feet stroke of piston. Her wheels are 40 feet in diameter. It is expected that she will be ready for see on or about the 1st of February.

THE SUPPOSED MURDER CASE IN FIRST-AVE. - Yesterday Coroner Gamble held a preliminary examination in the case of Mrs. C. Towers, who was found lying dead in an unfin case of Mrs. C. Towers, who was found lying doed in an unna ished shanty, recently occupied by herself and husband, at the corner of First-ave, and Forty-ninth-st. It was supposed that her husband had caused her death by strangulation. Dr. Joseph E. Shaw, Deputy Coroner, made a post-mertem examination of the body of deceased, and found that death was, without doubt, the result of intemperance. No injuries or marks of yios lence were found. Her internal organs were found to be much diseased. The inquest will be held to-day. The woman Carrollton, who had disappeared, has since been found, and will give her testimony in the case.

ing up Park-row, on Tuesday evening. She was immediately surrounded by a curious crowd, and while lying helpless upon the walk, some scoundrel stells from her pooket a wallet containing a check for \$50, and \$5 in bills. The unfortunate woman was taken to the Socond Precinct Station liquids and substantily to the New York Westuffel.

FELL IN A FIT.-Louisa Bell fell in a fit, while pass-